

**BIRCH, STEWART, KOLASCH & BIRCH, LLP**

**INTELLECTUAL PROPERTY LAW**  
**8110 GATEHOUSE ROAD**  
**SUITE 100 EAST**  
**FALLS CHURCH, VA 22042-1248**  
**USA**

(703) 205-8000

FAX: (703) 205-8050  
(703) 698-8590 (G IV)

e-mail: [mailroom@bskb.com](mailto:mailroom@bskb.com)  
web: <http://www.bskb.com>

**CALIFORNIA OFFICES:**  
**COSTA MESA, CALIFORNIA**  
**LOS ANGELES, CALIFORNIA**

SCOTT L. LOWE  
PAUL C. LEWIS  
RICHARD J. GALLAGHER  
MARYANNE ARMSTRONG, PH.D.  
KECIA J. REYNOLDS  
KALPANA REDDY  
ESTHER H. CHONG  
CATHERINE M. VOISINET\*  
EUGENE T. PEREZ  
CAROLYN T. BAUMGARDNER\*  
MARTIN R. GEISSLER\*  
J. ALISON GRABELL\*  
T. BENJAMIN SCHROEDER, PH.D.  
PERCY L. SQUARE  
HYUNG N. SOHN  
CLINT A. Gerdine  
CRAIG A. McROBBIE  
WILLIAM F. NIXON\*  
DANIEL K. DORSEY  
MATTHEW T. SHANLEY

**REG. PATENT AGENTS:**  
FREDERICK R. HANDREN  
MAKI HATSUMI  
GARTH M. DAHLEN, PH.D.  
ROBERT E. GOOZNER, PH.D.  
KRISTI L. RUPERT, PH.D.  
SUSAN W. GORMAN, PH.D.  
ROBERT W. DOWNS  
CHAD J. BILLINGS  
CHRISTINE V. CASTILLO  
CARL T. THOMSEN  
SAM BHATTACHARYA  
BRADLEY C. FACH

13281 U  
102303  
DRELL C. BIRCH  
RAYMOND C. STEWART  
JOSEPH A. KOLASCH  
JAMES M. SLATTERY  
MICHAEL K. MUTTER  
CHARLES GORENSTEIN  
GERALD M. MURPHY, JR.  
LEONARD R. SVENSSON  
ANDREW D. MEIKLE  
MARC S. WEINER  
JOE MCKINNEY MUNCY  
ROBERT J. KENNEY  
JOHN W. BAILEY  
MARK J. NUEL, PH.D.  
JAMES T. ELLER, JR.  
D. RICHARD ANDERSON  
THOMAS M. SMALL\*  
ROBERT A. SELDON\*  
JOHN A. SCILLIERI\*  
SANFORD ASTOR\*

**OF COUNSEL:**  
HERBERT M. BIRCH (1905-1996)  
BERNARD L. SWEENEY\*  
ELLIOT A. GOLDBERG\*  
WILLIAM L. GATES\*  
EDWARD H. VALANCE  
RUPERT J. BRADY (RET.)\*  
F. PRINCE BUTLER  
FRED S. WHISENHUNT (RET.)  
JAMES W. HELLWEGE  
QUENTIN R. "Rick" CORRIE  
ROBERT F. GNUSE  
DAVID R. MURPHY  
ROBERT M. ASHEN\*  
MICHAEL R. CAMMARATA

\*ADMITTED TO A BAR OTHER THAN VA.

Date: October 23, 2003

Docket No.: 4528-0114P

**MS PATENT APPLICATION**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

This is a Request for filing a ☒ continuation ☐ divisional  
☐ continuation-in-part application under 37 C.F.R. § 1.53(b) of  
pending prior Application No. 09/676,814 filed on October 2,  
2000, the entire contents of which are hereby incorporated by  
reference,  
by

John Wulff PETERSEN, Pieter TELLEMAN, Ole HANSEN, Palle  
CHRISTOPHERSEN, Morten BECH, Soren Peter OLESEN, Jorgen DUE, and  
Lars THOMSEN

for

**A SUBSTRATE AND A METHOD FOR DETERMINING AND/OR MONITORING  
ELECTROPHYSIOLOGICAL PROPERTIES OF ION CHANNELS**

1. ☒ Enclosed is an application consisting of specification,  
claims, declaration and drawings/photographs (if  
applicable).
2. ☒ The filing fee has been calculated as follows:

16834 U.S.P.T.O.  
10/690618



			LARGE ENTITY	SMALL ENTITY
BASIC FEE			\$790.00	\$385.00
	NUMBER FILED	NUMBER EXTRA	RATE      FEE	RATE      FEE
TOTAL CLAIMS	44-20 =	24	x18 = \$432.00	x 9 = \$0.00
INDEPENDENT CLAIMS	1-3 =	0	x 86 = \$0.00	x 43 = \$0.00
<input checked="" type="checkbox"/> MULTIPLE DEPENDENT CLAIMS PRESENTED			+ \$290.00	+ \$145.00
TOTAL			\$1,512.00	\$0.00

3. ☒ A check in the amount of \$1,512.00 to cover the filing fee is enclosed.
4. ☐ Please charge Deposit Account No. 02-2448 in the amount of \$0.00. A triplicate copy of this request is enclosed.
5. ☒ Enclosed is/are four (4) sheet(s) of formal drawings and/or photographs.
- 6a. ☐ A statement claiming small entity status was filed in prior Application No. 09/676,814 on \_\_\_\_\_. See the attached copy of the statement claiming small entity status.
- 6b. ☐ The current application qualifies for small entity status.
7. ☒ The prior application is assigned to Sophion Bioscience A/S.
8. ☐ A Preliminary Amendment is enclosed.
- 9a. ☒ Priority of Application No(s). 1999 01407 and 60/157,847 filed in Denmark and the United States on October 1, 1999 and October 6, 1999, respectively is/are claimed under 35 U.S.C. § 119.
- 9b. ☐ Priority of International Appln. \_\_\_\_\_ filed on \_\_\_\_\_ under the Patent Cooperation Treaty and \_\_\_\_\_ Application No. \_\_\_\_\_ filed in \_\_\_\_\_ on \_\_\_\_\_ under 35 U.S.C. § 120 and/or § 119 are hereby reclaimed.

10. ✓ ☒ An Information Disclosure Statement and PTO-1449 form(s) are attached hereto for the Examiner's consideration.
11. ☒ Address all future communications to:  
  
BIRCH, STEWART, KOLASCH & BIRCH, LLP  
P.O. Box 747  
Falls Church, VA 22040-0747  
(703) 205-8000  
  
or  
Customer No. 02292
12. ☐ An extension of time for \_\_\_\_\_ ( ) month(s) until \_\_\_\_\_ has been submitted in parent Application No. 09/676,814 in order to establish co-pendency with the present application.
13. ☐ Also enclosed herewith is the following:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By   
Gerald M. Murphy Jr., #28,977

GMM/las  
4528-0114P

P.O. Box 747  
Falls Church, VA 22040-0747  
(703) 205-8000

Attachment (s)

(Rev. 07/303)